

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

UNITED STATES OF AMERICA

v.

Criminal Action No. 1:18-00193

WILLIAM GAMMON

ORDER

Pursuant to 28 U.S.C. § 636 and Local Rule of Criminal Procedure 59.4(d), this matter was referred to the United States Magistrate Judge Omar J. Aboulhosn for purposes of the defendant entering a plea of guilty. (ECF No. 36). At that hearing, the defendant voluntarily waived his right to have an Article III Judge preside over his guilty plea and executed a written Waiver of Article III Judge and Consent to Enter Guilty Plea Before Magistrate Judge, which waiver and consent were signed by defendant, his counsel, and counsel for the United States. (ECF No. 37).

Magistrate Judge Aboulhosn submitted to the court his Proposed Findings and Recommendation on December 7, 2018, in which he recommended that the court **ACCEPT** the defendant's plea of guilty to Count Three of the indictment.* (ECF No. 41). In

* Although Magistrate Judge Aboulhosn recommended that the court "conditionally" accept the guilty plea, the court notes that the guilty plea is actually accepted without conditions.

accordance with the provisions of 28 U.S.C. § 636(b), the parties were allotted fourteen days, plus three mailing days, in which to file any objections to Magistrate Judge Aboulhosn's Findings and Recommendation. The failure of any party to file such objections within the time allotted constitutes a waiver of such party's right to a de novo review by this court. Snyder v. Ridenour, 889 F.2d 1363 (4th Cir. 1989).

Neither party filed any objections to the Magistrate Judge's Findings and Recommendations within the required time period. Accordingly, the court adopts the Findings and Recommendations of Magistrate Judge Aboulhosn and **ACCEPTS** the defendant's plea of guilty, and the defendant stands provisionally guilty of Count Three of the indictment charging him with a violation of 21 U.S.C. § 841(a)(1).

The Clerk is directed to forward a copy of this Order to counsel of record and to Magistrate Judge Aboulhosn.

IT IS SO ORDERED on this 7th day of January, 2019.

ENTER:

A handwritten signature in cursive script, reading "David A. Faber", is written over a horizontal line.

David A. Faber

Senior United States District Judge